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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,161	12/21/2001	Lloyd E. Thorsbakken	RA 5369 (740.306-US-01)	3403

27516 7590 03/18/2005

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EXAMINER
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CLEARY, THOMAS J

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/028,161	<b>Applicant(s)</b> THORSBAKKEN ET AL.	
	<b>Examiner</b> Thomas J. Cleary	<b>Art Unit</b> 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14, 17-34 and 36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14, 17-34 and 36 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-10 is/are rejected.
- 7) ☐ Claim(s) 4, 5 and 11-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 3, 6, 7, 8, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Number 4,554,628 to Bell ("Bell").

3. In reference to Claim 1, Bell discloses a method for managing the processing of commands issued on a bus via a plurality of agents, comprising: allocating ownership of the bus to the plurality of agents based on a predetermined bus arbitration order (See Column 4 Lines 30-35); queuing agent identifiers of the agents that issued commands which were retried due to unavailable processing resources (See Column 4 Lines 36-47); and granting command processing priority of the processing resources to agents corresponding to the queued agent identifiers relative to other agents having ownership of the bus in accordance with the predetermined bus arbitration order (See Column 4 Lines 45-47).

4. In reference to Claim 2, Bell discloses the limitations as applied to Claim 1 above. Bell further discloses issuing retry responses for commands issued by the other agents to avail the processing resources to the agents corresponding to the queued agent identifiers (See Column 6 Lines 21-28).

5. In reference to Claim 3, Bell discloses the limitations as applied to Claim 1 above. Bell further discloses granting command processing priority to the agents corresponding to the queued agent identifiers in an order in which the agent identifiers were queued relative to each other (See Column 5 Line 65 – Column 6 Line 50).

6. In reference to Claim 6, Bell discloses the limitations as applied to Claim 1 above. Bell further discloses always granting command processing priority to the agents corresponding to the queued agent identifiers relative to the other agents having ownership of the bus (See Column 6 Lines 21-28).

7. In reference to Claim 7, Bell discloses the limitations as applied to Claim 1 above. Bell further discloses granting command processing priority to the agents corresponding to the queued agent identifiers relative to the other agents having ownership of the bus in accordance with a predefined fairness algorithm (See Column 6 Lines 21-28).

8. In reference to Claim 8, Bell discloses the limitations as applied to Claim 1 above. Bell further discloses regulating the command processing priority between the agents corresponding to the queued agent identifiers and the other agents having ownership of the bus (See Column 5 Line 65 – Column 6 Line 50).

9. In reference to Claim 9, Bell teaches the limitations as applied to Claim 8 above. Bell further discloses selectively granting the command processing priority of the processing resources to agents corresponding to the queued agent identifiers relative to the other agents having ownership of the bus (See Column 5 Line 65 – Column 6 Line 50).

10. In reference to Claim 10, Bell teaches the limitations as applied to Claim 9 above. Bell further discloses that selectively granting the command processing priority comprises disregarding the granting of the command processing priority to the agents corresponding to the queued agent identifiers relative to the other agents having ownership of the bus in accordance with a configurable pattern (See Column 6 Lines 29-50).

***Allowable Subject Matter***

11. Claims 14, 17-34, and 36 are allowed.

12. Claims 4, 5, 11, 12, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

13. Applicant's arguments, see Pages 12-18, filed 22 December 2004, with respect to the rejection(s) of claim(s) 1-3 and 6-10 under 35 USC §102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bell.

14. Applicant's arguments, see Pages 12-18, filed 22 December 2004, with respect to Claims 4-5, 11-14, 17-34, and 36 have been fully considered and are persuasive. The rejection of Claims 4-5, 11-14, 17-34, and 36 has been withdrawn.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Thomas J. Cleary whose telephone number is 571-272-3624. The Examiner can normally be reached on Monday-Thursday (7-3:30), Alt. Fridays (7-2:30).

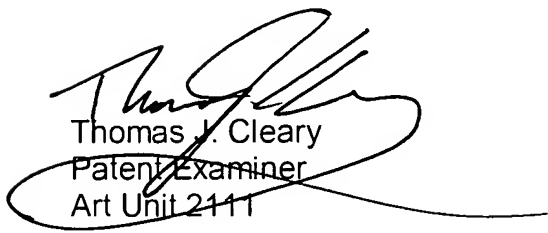
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mark H. Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJC



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